

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
LOCAL 3621, EMS OFFICERS UNION, DC-37, AFSCME,
AFL-CIO, et al.,

Plaintiffs,

against

THE CITY OF NEW YORK, et al.,

Defendants.

CIVIL ACTION NO.: 18 Civ. 4476 (LJL) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

The Court resolved telephonically a discovery dispute that arose during the continued deposition of one of Defendants' witnesses relating to questions Plaintiffs' counsel posed to the deponent regarding the New York Civil Service Law § 59-b deliberative process affidavits and promotional process for FDNY specialty units. Defendants' counsel opposed the questions on the grounds that they were outside the scope of the continued deposition and that the deponent should not have to sit for additional time.

The Court again reminded the parties of the limits of deposition objections and directed the parties to continue the deposition. See Cordero v. City of New York, No. 15 Civ. 3436 (JBW) (CLP), 2017 WL 2116699, at *5 (E.D.N.Y. May 12, 2017) ("Rule 30(c)(2) of the Federal Rules of Civil Procedure provides that '[a]n objection [during a deposition] must be stated concisely in a nonargumentative and nonsuggestive manner. A person may instruct a deponent not to answer only when necessary to preserve a privilege, to enforce a limitation ordered by the court, or to present a motion under Rule 30(d)(3).'" (quoting Fed. R. Civ. P. 30(c)(2))).

The Court ruled that the deposition of Chief Booth today, November 23, 2020 can continue but must end by 4:15 pm.

The Court's full ruling is reflected in the Court's recording of the call, which can be made available for transcription at the parties' request.

Dated: New York, New York
November 23, 2020

SO ORDERED


SARAH L. CAVE
United States Magistrate Judge